

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

DAVID TIPPENS,
Defendant.

NO. CR16-5110 RJB

DISCOVERY PROTECTIVE ORDER

UNITED STATES OF AMERICA,
Plaintiff,

v.

GERALD LESAN,
Defendant.

NO. CR15-387 RJB

DISCOVERY PROTECTIVE ORDER

UNITED STATES OF AMERICA,
Plaintiff,

v.

BRUCE LORENTE,
Defendant.

NO. CR15-274 RJB

DISCOVERY PROTECTIVE ORDER

1 This matter, having come to the Court's attention on the Stipulation for Entry of a
2 Discovery Protective Order submitted by the United States of America and Defendants
3 David Tippens, Gerald Lesan, and Bruce Lorente, and the Court, having considered the
4 motion, and being fully advised in this matter, hereby enters the following

5 PROTECTIVE ORDER:

6 1. This Protective Order governs all discovery material in any format (written
7 or electronic) that is produced by the government in discovery in the above captioned
8 case, and is identified and marked as "NIT Protected Material."

9 2. The United States will make available copies of discovery materials,
10 including those filed under seal, to defense counsel to comply with the government's
11 discovery obligations. Possession of copies of the NIT Protected Material is limited to
12 the attorneys of record, members of the defense team employed by the Office of the
13 Federal Defender, and the following experts retained to assist the defense: 1) Matthew
14 Miller; 2) Vlad Tsyркlevich; 3) Robert Young; 4) Shawn Kasal; 5) Leonid Reyzin; and 6)
15 Chris Soghoian. (hereinafter collectively referred to as members of the defense team).

16 3. The attorneys of record and members of the defense team may display and
17 review the NIT Protected Material with the Defendants. The attorneys of record and
18 members of the defense team acknowledge that providing copies of the NIT Protected
19 Material, or information contained therein, to the Defendants and other persons is
20 prohibited, and agree not to duplicate or provide copies of NIT Protected Material, or
21 information contained therein, to the Defendants and other persons.

22 4. Nothing in this order should be construed as imposing any discovery
23 obligations on the government or the Defendants that are different from those imposed by
24 case law, Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal
25 Rules.

26 5. Any NIT Protected Material, or information contained therein, that is filed
27 with the Court in connection with pre-trial motions, trial, sentencing, or other matter
28 before this Court, shall be filed under seal and shall remain sealed until otherwise ordered

by this Court. This does not entitle either party to seal their filings as a matter of course. The parties are required to comply in all respects to the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents.

6. The provisions of this Order shall not terminate at the conclusion of this prosecution.

7. Upon the termination of this case, any NIT Protected Material (or copies thereof), or information contained therein, in the possession of the defense team shall be destroyed or returned to the United States.

8. Any violation of any term or condition of this Order by the Defendants, their attorney(s) of record, or any member of the defense team, may be held in contempt of court, and/or may be subject to monetary or other sanctions as deemed appropriate by this Court.

9. If the Defendant violates any term or condition of this Order, the United States reserves its right to seek a sentencing enhancement for obstruction of justice, or to file any criminal charges relating to the Defendant's violation.

DATED this 26th day of October, 2016.



ROBERT J. BRYAN
United States District Judge

Presented By:

/s/ Matthew P. Hampton

MATTHEW P. HAMPTON
Assistant United States Attorney

/s/ Robert Goldsmith

ROBERT GOLDSMITH
Attorney for Gerald Lesan

/s/ Colin Fieman

COLIN FIEMAN
Attorney for David Tippens

Mohammad Hamoudi

MOHAMMAD HAMOUDI
Attorney for Bruce Lorente